

D-42

Pending Hearing RE: RE: PERMIT FOR TAXLOT# 51031AA00600)



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To Planning Group
Cc Jeffrey Adams

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Thu 10/29/2020 4:09 PM

Apparently, my previous email regarding this hearing was not received. Therefore, I'm resending and also sending a copy to the Community Development Director. Thanks.

**RE: PERMIT FOR TAXLOT# 51031AA00600) CONCLUSIONS, AND
FOR CONSTRUCTION OF A NEW SINGLE-FAMILY) ORDER DP# 20-04
RESIDENCE IN CONJUNCTION WITH A BUILDING PERMIT**

I own two Cannon Beach Properties on Hemlock, 1956 and 1980, which I intend to develop. I expect the City to enforce the same rules for the Roberts that will apply to my properties.

Please consider the following comments in opposition to the proposed "conditions" for the Roberts development project. I have placed comments below each of the proposed "conditions."

1. Prior to the issuance of a building permit, applicant shall provide a Tree Replacement Plan for the trees removed from the private property, as specified in Chapter 17.70.040 per 17.70.030(G).

Private property is not the issue in this instance. Granting a building permit should be contingent upon a Tree Replacement plan on public property that is proposed to be developed. The proposed development will involve numerous established trees that should be considered important for their scenic value as well as soil stabilization in a known geologically unstable area of the City.

2. Prior to the issuance of a building permit, the applicant shall provide Oceanfront Setback Survey confirming that all proposed structures conform to Chapter 17.42.050(A)(6), or a Setback Reduction approval from the Cannon Beach Planning Commission, under Chapter 17.64 authorizing a setback reduction for the structures on the site.

Exceptions, or variance in the Oceanfront Setback Ordinance should not be granted.

3. Prior to the issuance of a building permit, the applicant shall obtain a Right-of-Way Permit for construction staging and accessing the property through the City of Cannon Beach Director of Public Works.

AND

4. Prior to the issuance of a building permit, the applicant shall obtain a Right-of-Way Permit for an approved Roadway for the extension of W. Nenana or acceptable access easement through the City of Cannon Beach Director of Public Works.

Insufficient information is presented for approval of a Right-of-Way Permit. The suggestion of a bridge as a private driveway on City property is contrary to the City Comprehensive Plan, i.e. *“design criteria of the Zoning Ordinance compatible with the surrounding development. (Ord 84-08; Res 79-02)”* The proposed intersection at Hemlock in the “curves” would also create an unavoidable, dangerous location and increased probability of motor vehicle crashes. A new road will undoubtedly be utilized as tourists explore to seek access and parking for the beach.

5. An approved building permit through the City of Cannon Beach Building Official.

It makes no sense to consider issuing a building permit without first considering the factors that are contrary to building on the Robert’s property.

6. No site disturbance, including grading, excavation, tree removal, or any other activity will be permitted on W. Nenana or the subject property prior to the issuance of a Right-of-Way permit.

This condition assumes that a building permit has been issued. Again, this is putting the cart before the horse. Issuing a building permit should follow, not precede approval for right-of-way. With a building permit in hand, the permit will undoubtedly be used as leverage to compel approval of a right-of-way.

Thanks for the opportunity to comment.

Brent Burton